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8	NOT FOR CITATION	
9	NOT FOR CITATION	
10	IN THE UNITED STATES DISTRICT COURT	
11	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
12	RUSSELL DAVID BARTLOW,) No. C 11-01899 JF (PR)	
13	Plaintiff, ORDER OF DISMISSAL	
14	vs.	
15	RICHARD B. IVES, et al.,	
16	Defendants.	
17		
18		
19	On April 20, 2011, Plaintiff, a federal inmate currently incarcerated at the United	
20	States Penitentiary - Lompoc, filed the instant civil rights action in <u>pro</u> <u>se</u> pursuant to 42	
21	U.S.C. § 1983 against prison officials for unconstitutional acts. On the same day, the	
22	Clerk sent Plaintiff a notice that his <u>In Forma Pauperis</u> Application was insufficient	
23	because he had not used the correct form. (Docket No. 5.) Plaintiff was sent blank copies	
24	of the court's <u>In Forma Pauperis</u> Application and a return envelope. (<u>Id.</u>)	
25	On May 6, 2011, the notice and enclosures were returned by mail to the Clerk of	
26	the Court as undeliverable with a "return to sender" stamp that stated that the mail was	
27	"not deliverable as addressed, unable to forward." (Docket No. 6.) As of the date of this	
28	order, Plaintiff has not updated his address with the Court or submitted any further	
	Order of Dismissal P:\PRO-SE\SJ.JF\CR.11\01899Bartlow_dism3-11.wpd 1	

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pleadings in this case.

The complaint is subject to dismissal under Northern District Local Rule 3-11, which requires a party proceeding <u>pro se</u> to promptly file a notice of change of address while an action is pending. <u>See L.R. 3-11(a)</u>. The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the <u>pro se</u> party by the Court has been returned to the Court as not deliverable, and (2) the Court fails to receive within sixty days of this return a written communication from the <u>pro se</u> party indicating a current address. <u>See L.R. 3-11(b)</u>.

More than sixty days have passed since the Court's order addressed to Plaintiff was returned as undeliverable. The Court has not received a notice from Plaintiff of a new address. Accordingly, the instant civil rights action is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules.

The clerk shall terminate any pending motions as moot.

IT IS SO ORDERED.

DATED: ______

JEREMY FOGEL

United States District Judge

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN DISTRICT OF CALIFORNIA

RUSSELL DAVID BARTLOW,	Case Number: CV11-01899 JF	
Plaintiff,	CERTIFICATE OF SERVICE	
v.		
RICHARD B. IVES, et al.,		
Defendants.		
I, the undersigned, hereby certify that I am an Court, Northern District of California.	employee in the Office of the Clerk, U.S. District	
nat on, I SERVED a true and correct copy(ies) of the ached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) reinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into inter-office delivery receptacle located in the Clerk's office.		
Russell David Bartlow Reg.#:94139-011 USP-Lompoc United States Penitentiary-Lompoc 3901 Klein Blvd Lompoc, CA 93436		
Dated: 8/5/11	Distant W. Wishing Chall	
	Richard W. Wieking, Clerk	